

Message Text

LIMITED OFFICIAL USE

PAGE 01 BONN 08223 01 OF 02 122212Z

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 ITC-01 COME-00 L-03 TRSE-00
/024 W

-----122241Z 075929 /66

R 121450Z MAY 77

FM AMEMBASSY BONN

TO SECSTATE WASHDC 8208

INFO USMISSION EC BRUSSELS

USDA/FAS WASHDC

LIMITED OFFICIAL USE SECTION 01 OF 02 BONN 08223

E.O. 11652: N/A

TAGS: EAGR, GW

SUBJECT: IMPORT DUTY OF FRESH BLUEBERRIES AND
CRANBERRIES

REF: A. BONN 05760 B. BONN 08066

BEGIN SUMMARY: ACCORDING TO FEDMINFINANCE OFFICIALS,
THE PRESENT WORDING OF THE GERMAN AND EC TARIFF
SCHEDULE DOES NOT PERMIT IMPORTATION OF U. S.-TYPE
FRESH CULTIVATED CRANBERRIES UNDER TARIFF POSITION
0808B AND CULTIVATED FRESH BLUEBERRIES UNDER 0808C,
WHOSE RATES ARE RESPECTIVELY ZERO AND FOUR PERCENT.
BOTH FRUITS MUST ENTER UNDER 0808F AT A 12 PERCENT
AD VALOREM RATE. U. S. EMBASSY REQUESTED A CHANGE OF
THIS WORDING TO ACCOMMODATE THE U. S. PRODUCTS UNDER
THE LOWER RATE. GERMAN OFFICIALS STATED THAT THIS
REQUIRES A DECISION IN BRUSSELS BUT AGREED TO INITIATE
ACTION UPON FORMAL U. S. EMBASSY REQUEST. END
SUMMARY.

1. ACCORDING TO THE PRESENT WORDING OF THE GERMAN AND
EC OFFICIAL TARIFF SCHEDULE INTERPRETATION, ONLY FRESH
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BONN 08223 01 OF 02 122212Z

COWBERRIES OF THE SPECIES VACCINIUM VITIS IDAEA MAY BE
IMPORTED DUTY FREE UNDER TARIFF POSITION 0808B.
FURTHERMORE, ONLY FRESH BLUEBERRIES OF THE TYPE
VACCINIUM MYRTILLUS MAY BE IMPORTED AT A RATE OF
FOUR PERCENT UNDER TARIFF POSITION 0808C. ALL OTHER
VACCINIUM-TYPE BERRIES, SPECIFICALLY VACCINIUM
MACROCARPON (CRANBERRIES) AND VACCINIUM CORYMBOSUM

(U. S. Highbush blueberries) but also V. angustifolium, V. lamarkii and other low bush types are grouped under 0808F, "other berries", establishing an ad valorem rate of 12 percent for the U. S. and most other third countries. This situation has existed for some time but was not enforced because of lack of information regarding the exact botanical identity of the various Vaccinium types on the part of German customs field offices. Therefore, U. S. high-bush blueberries as well as fresh cranberries with only some exceptions reportedly were previously imported under 0808 C and B. This situation has changed and without an official revision of the existing tariff interpretation the higher rates will actually be charged during the 1977 import season by German authorities.

2. In May 6 meeting, Embassy representative requested Fedminfinance officials (customs) take all necessary steps to ensure that fresh cranberries are made officially eligible for the duty free preference granted by the FRG to the U.S. and other suppliers during the 1960-61 GATT round. At the same time, we requested that imports of fresh cultivated blueberries be permitted at four percent duty. Fedmin finance official stated that this would require a change of the present wording of the official FRG and EC tariff schedule interpretations. This can only be accomplished by EC decision which at earliest would

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 BONN 08223 01 OF 02 122212Z

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 BONN 08223 02 OF 02 122209Z

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 ITC-01 COME-00 L-03 TRSE-00
/024 W

-----122239Z 075880 /66

R 121450Z MAY 77

FM AMEMBASSY BONN
TO SECSTATE WASHDC 8209
INFO USMISSION EC BRUSSELS
USDA/FAS WASHDC

LIMITED OFFICIAL USE SECTION 02 OF 02 BONN 08223

BECOME EFFECTIVE ON JAN. 1, 1978. A CONSENSUS WAS REACHED WITH FEDMINFINANCE OFFICIALS THAT: (A) EMBASSY WILL SEND A FORMAL LETTER TO FEDMINFINANCE REQUESTING APPROPRIATE ACTION BY THE FRG; AND (B) FEDMINFINANCE AFTER RECEIPT OF LETTER, WILL FORMALLY APPROACH THE EC COMMISSION ASAP, REQUESTING THE NECESSARY CHANGE OF THE OFFICIAL COMMON EC TARIFF SCHEDULE INTERPRETATION. (EMBASSY WILL PREPARE SUCH A REQUEST AND TRANSMIT THE DOCUMENT TO FEDMINFINANCE, TO WASHINGTON, AND USEC, ASAP, GERMAN OFFICIAL, HOWEVER URGED THAT THE U. S. GOVERNMENT ALSO APPROACH THE EC COMMISSION DIRECTLY, REQUESTING THE NECESSARY ACTION.

3. EMBASSY REPRESENTATIVE ALSO URGED GERMAN OFFICIALS TO TAKE ALL NECESSARY STEPS FOR AN INTERIM SOLUTION WHICH WOULD ENSURE THAT U. S. CRANBERRIES CAN BE IMPORTED AT ZERO RATE AND FRESH BLUEBERRIES AT THE REGULAR FOUR PERCENT AD VALOREM RATE DURING THE 1977 IMPORT SEASON, I.E., UNTIL AN AMENDED VERSION OF THE FRG AND EC TARIFF INTERPRETATIONS CAN BE LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BONN 08223 02 OF 02 122209Z

OBTAINED AND TAKE EFFECT. FEDMINFINANCE OFFICIALS RELUCTANTLY AGREED TO CONSIDER ISSUING AN INTERNAL ORDER (ERLASS) INFORMING GERMAN CUSTOMS FIELD OFFICES OF THE INTENDED CHANGE OF THE OFFICIAL CUSTOMS TARIFF INTERPRETATION AND DIRECTING THEM TO APPLY THE LOWER RATES DURING THE INTERIM PERIOD. THE ISSUING OF SUCH AN INTERNAL ORDER, HOWEVER, WILL BE CONDITIONED ON AGREEMENT IN BRUSSELS TO AMEND THE EC TARIFF INTERPRETATION.
STOESSEL

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FRUIT, CUSTOMS DUTIES, IMPORT CONTROLS
Control Number: n/a
Copy: SINGLE
Sent Date: 12-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BONN08223
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770168-0327
Format: TEL
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770567/aaaacfkyl
Line Count: 163
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: bde7b695-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 BONN 5760
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 02-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2554303
Secure: OPEN
Status: NATIVE
Subject: IMPORT DUTY OF FRESH BLUEBERRIES AND CRANBERRIES
TAGS: EAGR, GE
To: STATE
Type: TE
vdkgvwkey: odbs://SAS/SAS.dbo.SAS_Docs/bde7b695-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009